

**UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS**

**AMERICAN COMMERCIAL LINE, \* CASE NO.: 20-30982  
INC. AND COMMERCIAL BARGE  
LINE COMPANY  
(DEBTOR) \***

**\* CHAPTER 11**

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**MOTION TO LIFT STAY**

**THIS IS A MOTION FOR RELIEF FROM THE AUTOMATIC STAY. IF YOU OBJECT TO THE GRANTING OF RELIEF FROM THE AUTOMATIC STAY, YOU SHOULD CONTACT THE MOVANT IMMEDIATELY TO TRY TO REACH AN AGREEMENT. IF YOU CANNOT REACH AN AGREEMENT, YOU MUST FILE A WRITTEN RESPONSE AND SEND A COPY TO MOVANT NOT LATER THAN MAY 20, 2020, AND YOU MUST ATTEND THE HEARING.**

**THE COPY SENT TO THE MOVANT MUST BE DELIVERED BY HAND OR ELECTRONIC DELIVERY IF IT IS SENT LESS THAN 7 DAYS PRIOR TO THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE HEARING MAY BE AN EVIDENTIARY HEARING AND THE COURT MAY GRANT OR DENY RELIEF FROM THE STAY BASED ON THE EVIDENCE PRESENTED AT THIS HEARING. IF A TIMELY OBJECTION IS FILED, THE COURT WILL CONDUCT A HEARING ON THIS MOTION ON May 22, 2020 AT 9:00 A.M. AT 515 Rusk, 4<sup>th</sup> Floor, Courtroom 404, Houston, TX 77002.**

1.

Movant, JEREMY BAILEY, through undersigned counsel, respectfully submits this motion to lift stay in order to allow Movant to proceed with his personal injury claims against Debtor's, AMERICAN COMMERCIAL BARGE LINE, LLC's, insurers, guaranty associations, and any other person and/or entity that may be liable for movant's damages.

2.

On September 13, 2019, Movant filed a Petition for Damages against the Debtor. (see Petition attached as Exhibit "A").

3.

Said Petition for Damages alleges that the Debtor is indebted unto Movant for an offense or quasi offense occurring on or about January 15, 2019.

4.

On January 15, 2019, Debtor had one or more insurance policies that provided coverage for the offenses alleged in the Petition for Damages.

5.

On February 7, 2020, Debtor filed its Petition for Relief under Chapter 11.

6.

At this time, Movant agrees not to pursue the Debtor for any amount owed in relation to this accident, but only wishes to pursue any insurance coverage which may have been provided to the Debtor and/or coverage provided by any guaranty association and/or from persons and/or entities, other than Debtor, that may be liable for movant's damages.

7.

Pursuant to the provisions of §362 of Title 11 of the United States code, Movant respectfully requests this Honorable Court lift the stay thus allowing him to proceed against the Debtor's insurer(s), guaranty associations, and any other persons and/or entity that may be liable for movant's damages.

**WHEREFORE**, for the reasons set forth herein and in the memorandum in support attached hereto and incorporated herein by reference, Movant prays that this Motion to Lift Stay be granted.

Respectfully Submitted,

/s/ **Brian C. Colomb**

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**BRIAN C. COLOMB (Bar No. 25625)**

1819 West Pinhook Road, Ste 250

P.O. Box 51127 (70505)

Lafayette, LA 70508

Telephone: 337-541-6584

Fax: 337-704-2805

[brian@getgordon.com](mailto:brian@getgordon.com)

**ATTORNEYS FOR PETITIONER,  
JEREMY BAILEY**

**Certificate of Service and Certificate of Compliance with BLR 4001**

A copy of this motion was served on the persons shown on the attached Matrix (Exhibit “B” at the addresses reflected on that matrix on May 5, 2020 by prepaid United States first class mail and/or electronic mail. Movant certifies that movant has complied with Bankruptcy Local Rule 4001.

/s/Brian C. Colomb

**BRIAN C. COLOMB**